

- 1 1. RCW 42.17.3691 requires a candidate that expended twenty-five thousand dollars or
2 more in the preceding year or expects to expend twenty-five thousand dollars or more in
3 the current year to electronically file contribution and expenditure reports.
- 4 2. WAC 390-19-030 defines “expects to expend” as when a filer’s expenditures during the
5 last election for the same office sought met or exceeded the electronic reporting
6 threshold or when a filer otherwise projects that the electronic reporting threshold will
7 be met.
- 8 3. The Respondent spent \$32,174.84 during his 2000 campaign for election to the House
9 of Representatives from the 6th Legislative District.
- 10 4. The Respondent filed a candidate registration on April 24, 2002 for the 2002 election
11 seeking election to the House of Representatives from the 6th Legislative District.
- 12 5. The Respondent faxed a June 10, 2002 message to PDC staff which stated that *“I intend*
13 *to spend more than \$25,000 this campaign and need to use electronic filing.”*
- 14 6. The Respondent was reminded of the electronic filing requirement by letter dated
15 January 29, 2002. A second reminder was sent on June 4, 2002. A final letter was sent
16 on July 11, 2002, advising that enforcement action would result unless the Respondent
17 electronically filed 2002 C-3 and C-4 reports by July 19, 2002.
- 18 7. The Respondent did not file any contribution or expenditure reports in 2002 until after
19 July 19, 2002.
- 20 8. On August 20, 2002, the Respondent electronically filed C-3 reports reflecting deposits
21 made from the beginning of the 2002 campaign through August 17, 2002.¹ On August
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23 ¹ Respondent has electronically filed C-3 and C-4 reports to replace manually filed reports
24 that were timely filed through the end of 2001.
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1 25, 2002, the Respondent electronically filed C-4 reports reflecting activity from the
2 beginning of the 2002 campaign through June 30, 2002. On August 26, 2002, the
3 Respondent electronically filed the 21-day Pre-Primary C-4 report that was due on
4 August 27, 2002.
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6 **ORDER**

7 Based on the record submitted in this matter, the Commission orders as follows:

- 8 1. The Respondent violated RCW 42.17.3691 by failing to electronically file contribution
9 and expenditure reports.
- 10 2. A total civil penalty of \$500.00 is assessed against the Respondent.
- 11 3. \$250 of the penalty is suspended on the condition that the Respondent commit no
12 further violations of RCW 42.17.3691 for a period of two years from the date of this
13 Order.
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15 **RECONSIDERATION**

16 Any party may ask the Commission to reconsider this final order. Parties must
17 place their requests for reconsideration in writing, include the specific grounds or reasons
18 for the request, and deliver the request to the Public Disclosure Commission Office within
19 TEN (10) days of the date that the Commission serves this order upon the party. Pursuant
20 to RCW 34.05.470(3), the Public Disclosure Commission is deemed to have denied the
21 petition for reconsideration if, within twenty (20) days from the date the petition is filed, the
22 Commission does not either dispose of the petition or serve the parties with written notice
23 specifying the date by which it will act on the petition. Pursuant to RCW 34.05.470(5), the
24 Respondent is not required to ask the Public Disclosure Commission to reconsider the final
25 order before seeking judicial review by a superior court.
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1 **APPEAL RIGHTS**

2 Pursuant to RCW 42.17.395(5), a final order issued by the Public Disclosure
3 Commission is subject to judicial review under the Administrative Procedures Act, chapter
4 34.05 RCW. Pursuant to RCW 34.05.542(2), a petition for judicial review must be filed
5 with the superior court in Thurston County or the petitioner's county of residence or
6 principal place of business. The petition for judicial review must be served on the Public
7 Disclosure Commission and any other parties within 30 days of the date that the Public
8 Disclosure Commission serves this final order on the parties.
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10 If reconsideration is properly sought, the petition for judicial review must be served
11 on the Public Disclosure Commission and any other parties within thirty (30) days after the
12 Commission acts on the petition for reconsideration. The Commission will seek to enforce
13 this final order in superior court under RCW 42.17.395-397, and recover legal costs and
14 attorney's fees, if the penalty remains unpaid and no petition for judicial review has been
15 filed under chapter 34.05 RCW. This action will be taken without further order by the
16 Commission.
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18 DATED THIS 30th day of August, 2002.
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20 FOR THE COMMISSION:

21 /s/

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23 VICKI RIPPIE, Executive Director
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